

CONFIDENTIAL

FEB 22 2007

BIO TECHNOLOGY LAW GROUP
527 N. HIGHWAY 101, SUITE 1
SOLANA BEACH, CA 92075-1173
TEL: 858.350-9690 FAX: 858.350-9691

Fax

To: Commissioner for Patents **From:** Daniel M. Chambers
Fax: 571-273-8300 **Date:** February 21, 2007
Phone: 1-800-786-9199 **Pages:** 8 (including cover page)
Re: RESPONSE TO EXAMINER-INITIATED
INTERVIEW SUMMARY **CC:**
☐ Urgent ☒ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Comments: USSN: 10/813,209 **Filed:** March 29, 2004 **Inventor:** HOFMANN, et al.
Atty. Ref No: GTI-1360-CT

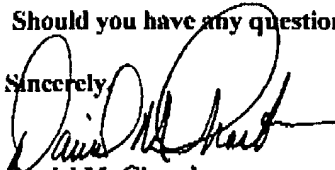
Dear Sir,

Enclosed in response to the Restriction Requirement and for filing are the following enclosures:

1. Transmittal Form (1 page);
2. Fee Transmittal (1 page);
3. Form PTO-2038 (1 page);
4. Communication in Response to the Examiner-Initiated Interview Summary (1 page); and
5. Courtesy copy of the Examiner-Initiated Interview Summary (Form PTOL-90A).

Should you have any questions, please do not hesitate to contact me.

Sincerely,


Daniel M. Chambers
Reg. No.: 34,561**PLEASE CONFIRM RECEIPT BY RETURN FACSIMILE**

Please note a written confirmation of this facsimile will not be mailed unless specifically requested.

The information contained in this facsimile transmission (including any attached page(s)) is intended only for the named recipient(s). The information may be confidential. If the reader of this message is not an intended recipient, notice is hereby given that any dissemination, distribution, or copying of this transmission, in whole or in part, is strictly prohibited. If you have received this transmission in error, please notify the sender immediately by telephone or return facsimile, and destroy this transmission. Thank you.

**RECEIVED
CENTRAL FAX CENTER**

002

FEB 22 2007

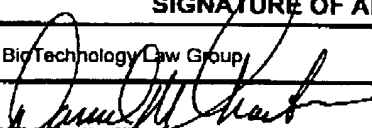
PTO/SB/21 (09-06)

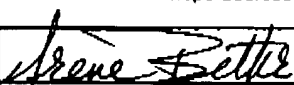
Approved for use through 03/31/2007. OMB 0851 0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/613,209	
	Filing Date	March 29, 2004	
	First Named Inventor	HOFMANN, Gunter A.	
	Art Unit	3763	
	Examiner Name	Christopher Koharski	
Total Number of Pages In This Submission	8	Attorney Docket Number	GTI-1360-CT

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Communication Re: Examiner-Initiated Interview Summary; 2. Credit Card Payment Form (PTO-2038); PLEASE SEE REMARKS BELOW
Remarks 3. Courtesy Copy of Examiner-Initiated Interview Summary 4. Fax Cover Sheet		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Big Technology Law Group	
Signature		
Printed name	Daniel M. Chambers	
Date	February 21, 2007	Reg. No. 34,561

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:		
Signature		
Typed or printed name	Irene Betke	Date February 21, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

FEB 22 2007

PTO/SB/17 (07-06)

Approved for use through 01/31/2007. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number

Effective on 12/09/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2007☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$): 570.00

Complete if Known

Application Number	10/813,209
Filing Date	March 29, 2004
First Named Inventor	HOFMANN, Gunter A.
Examiner Name	Christopher Koharski
Art Unit	3763
Attorney Docket No.	GTI-1360-CT

METHOD OF PAYMENT (check all that apply)
☐ Check ☒ Credit Card ☐ Money Order ☐ None ☒ Other (please identify): Form PTO-2038 for: \$570.00

☐ Deposit Account Deposit Account Number: _____ Deposit Account Name: _____

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☐ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 (including Reissues)
 Each independent claim over 3 (including Reissues)
 Multiple dependent claims

Fee (\$)	Small Entity Fee (\$)
50	25
200	100
360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
--------------	--------------	----------	---------------

- 20 or HP =	x	=	
--------------	---	---	--

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
---------------	--------------	----------	---------------

- 3 or HP =	x	=	
-------------	---	---	--

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
--------------	--------------	--	----------	---------------

- 100 =	/ 50 =	(round up to a whole number) x	=	
---------	--------	--------------------------------	---	--

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Two (2) Extension of Time Fees (\$570.00):

Fees Paid (\$)

\$570.00

SUBMITTED BY

Signature	Registration No. 34,561 (Attorney/Agent)	Telephone (858) 350-9890
Name (Print/Type) Daniel M. Chambers		Date February 21, 2007

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

FEB 22 2007

ATTY DOCKET NO.: GTI-1360-CT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: HOFMANN, et al.

Docket: GTI-1360-CT

Serial No.: 10/813,209

Filed: March 29, 2004

Confirmation No.: 5135

Title: DEVICES FOR NEEDLE-FREE INJECTION AND ELECTROPORATION

COMMUNICATION RE: EXAMINER-INITIATED INTERVIEW SUMMARYCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

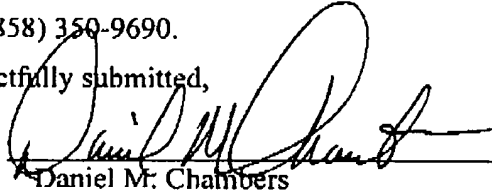
Dear Sir:

In response to the "Examiner-Initiated Interview Summary" please find the total amount of **\$570.00** for payment of the two (2) extensions of time which was inadvertently not paid for in the reply filed on November 22, 2006. A courtesy copy of the Examiner-Initiated Interview Summary (Form PTOL-90A) is enclosed for your convenience.

Please direct any inquiries to me. If there are any additional fees due or overpayment please contact the undersigned attorney at (858) 350-9690.

Respectfully submitted,

Date: February 21, 2007
BioTechnology Law Group
c/o PortfolioIP
P.O. Box 52050
Minneapolis, MN 55402
Telephone: (858) 350-9690
FAX: (858) 350-9691
Email: dan@biotechnologylawgroup.com


Daniel M. Chambers
Reg. No. 54,561

CERTIFICATE OF MAILING PURSUANT TO 37 CFR § 1.8:

The undersigned hereby certifies that this correspondence is being transmitted to facsimile no.: (571) 273-8300, for the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Irene Grimes Betke
Name

February 21, 2007
Date


Signature

02/27/2007 AWONDAF1 00000035 10013209

01 FC:2255

570.00 OP



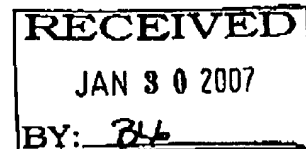
UNITED STATES PATENT AND TRADEMARK OFFICE

FEB 22 2007

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1200
Alexandria, Virginia 22313-1400
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/813,209	03/29/2004	Gunter A. Holmann	67-1360-3 GT-1360-CT	5135
7390 Daniel M. Chambers BioTechnology Law Group 658 Marsolan Avenue Solana Beach, CA 92075-1931			EXAMINER KOHARSKI, CHRISTOPHER	
			ART UNIT	PAPER NUMBER
			3763	
			MAIL DATE	DELIVERY MODE
			01/25/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.



Examiner-Initiated Interview Summary	Application No.	Applicant(s)	
	10/813,209	HOFMANN ET AL.	
	Examiner	Art Unit	
	Christopher D. Koharski	3763	

All Participants:

(1) Christopher D. Koharski

(2) _____

Status of Application: _____

(3) Daniel Chambers (voicemail)

(4) _____

Date of Interview: 17 January 2007

Time: 2:05pm EST

Type of Interview:

☒ Telephonic

☐ Video Conference

☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No

If Yes, provide a brief description: n/a

Part I.

Rejection(s) discussed:

n/a

Claims discussed:

n/a

Prior art documents discussed:

n/a

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.

☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

[Signature]
Acting Supervisor

[Signature] 1/17/07

(Examiner/SPE Signature) (Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: Applicant's representative was advised that the reply filed 11/22/2006, did not include enough payment for the extension of time required, the last office action mailed 5/22/2006, was due by 6/22/2006, Applicant responded on 11/22/2006, with a 3-month extension of time, but 2 more additional months are required.